

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<p>In re:</p> <p>BMT DESIGNERS & PLANNERS INC.,</p> <p style="text-align:center">Debtor.</p> <p>STEVEN VIGUS, JEFFREY VANDALL, and CREIGHTON HOGAN, on behalf of themselves and all others similarly situated,</p> <p style="text-align:center">Plaintiffs,</p> <p style="text-align:center">v.</p> <p>BMT DESIGNERS & PLANNERS INC.,</p> <p style="text-align:center">Defendant.</p>	<p>Case No. 22-10123-MG Chapter 7</p> <p>Adv. Pro. No. 22-01015 (MG)</p>
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**DECLARATION OF ADAM BREIHAN CONCERNING PUTATIVE CLASS MEMBERS
WHO HAVE OPTED OUT OF THE CLASS**

I, Adam Breihan, declare the truth of the following under penalty of perjury:

1. I am an attorney at Murphy Anderson, PLLC and Class Counsel in the above-referenced case.
2. On May 31, 2022, pursuant to the Court Order entered on May 19, 2022 [Docket No. 22], Plaintiffs caused to be mailed the Notice of Class Action (“Notice”) to two hundred and ten (210) class members from a list of names and addresses provided by the Chapter 7 Trustee, as updated by Plaintiffs. Class Counsel filed its Declaration of Mailing of Notice of Class Action on June 9, 2022. [Docket No. 26].
3. As provided in the Notice, any class member wishing to be excluded from the Class could do so by sending a completed exclusion form to Class Counsel no later than June 30, 2022.

4. Eight (8) putative class members requested exclusion from the Class: Douglas Donegan, Richard Celotto, Katie C. Bradley, Betty D. Coke, Fitia Raelison, William Leitzenmaier, Samuel Gonzales Ramos, Michael Riggs.

Dated: July 15, 2022

/s/ Adam Breihan
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CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2022, the foregoing Declaration of Adam Breihan Concerning Putative Class Members Who Have Opted Out of the Class was filed electronically through the Court's Electronic Case Filing System and was served electronically on counsel for the Chapter 7 Trustee, the Debtor, and the United States Trustee at the following email addresses:

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/s/ Adam Breihan
Adam Breihan